

CITY OF SAN JOSÉ, CALIFORNIA Department of Planning, Building and Code Enforcement 801 North First Street, Room 400 San José, California 95110-1795		Hearing Date/Agenda Number PC 3-27-02 Item No. 3.c.
<h1>STAFF REPORT</h1>		File Number PDC01-02-017
		Application Type Planned Development Rezoning
		Council District 7
		Planning Area South San Jose
		Assessor's Parcel Number(s) 455-10-011
PROJECT DESCRIPTION		Completed by: Darren McBain
Location: North side of Hillsdale Avenue approximately 1,000 feet westerly of Vistapark Drive		
Gross Acreage: 0.9	Net Acreage: 0.9	Net Density: 20 DU/AC
Existing Zoning: R-1-8 Residence		Existing Use: One single-family detached residence
Proposed Zoning: A(PD) Planned Development		Proposed Use: Up to 18 single-family attached residential units
GENERAL PLAN		Completed by: DM
Land Use/Transportation Diagram Designation: Public/Quasi-Public (Communications Hill Planned Residential Community)		Project Conformance: [x] Yes [] No [] See Analysis and Recommendations
SURROUNDING LAND USES AND ZONING		Completed by: DM
North:	Single-family attached residential	A(PD) Planned Development
East:	Single-family attached residential	A(PD) Planned Development
South:	Single-family detached residential	A(PD) Planned Development
West:	Church	A(PD) Planned Development
ENVIRONMENTAL STATUS		Completed by: DM
[] Environmental Impact Report found complete		[] Exempt
[X] Negative Declaration circulated on March 7, 2002		[] Environmental Review Incomplete
[] Negative Declaration adopted		
FILE HISTORY		Completed by: DM
Annexation Title: Edenvale No. 5		Date: 12/10/1963
PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION		
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Approval with Conditions <input type="checkbox"/> Denial		Date: _____ Approved by: _____ <input type="checkbox"/> Action <input checked="" type="checkbox"/> Recommendation
APPLICANT/ DEVELOPER	OWNER	
Steve Saray P.O. Box 5944 San Jose, CA 95150	Eden Garden LLC 43 E. Main St. #3-B Los Gatos, CA 95032	

PUBLIC AGENCY COMMENTS RECEIVEDCompleted by: Darren McBain

Department of Public Works

See attached memorandum.

Other Departments and Agencies

Not attached.

GENERAL CORRESPONDENCENone received.

BACKGROUND

The applicant, Steve Seray, is proposing a rezoning from R-1-8 Residence to A(PD) Planned Development Zoning District to allow up to 18 single-family attached residential units. The parcel is currently developed with an abandoned and severely dilapidated single-family house. The site is bordered by a church to the west and single-family attached residential uses to the north and east. Single-family houses are located to the south across Hillsdale Avenue. The topography is relatively flat nearest Hillsdale Avenue with an increasing slope to approximately 10 percent at the rear. The site is situated just within the southerly boundary of the Communications Hill Planned Residential Community.

The Communications Hill Planned Residential Community, established by the Communications Hill Specific Plan (CHSP), was approved by the City Council in 1994. The Lancaster Gate development, which surrounds two sides of the site, was the first development constructed within the CHSP and typifies the type of residential development envisioned for the area. One of the key design concepts unique to the overall specific plan area is to have streets arranged in a grid system over the existing steep topography. The development is significantly “urban” and dense in scale, with residential buildings placed close to the edge of the streets.

Project Description

The proposed project consists of 18 single-family attached “rowhouse” units arranged in four small clusters of units oriented toward the interior of the site. The proposed units are three-story in design, with two floors (including open living area and two bedrooms) over a private, enclosed two-car garage. Each unit has a small private yard. The project’s common driveway roughly bisects the site and runs parallel to the public street on the adjacent Lancaster Gate development to the east. The project’s private street is lined with landscaping and a pedestrian sidewalk in front of the proposed units. Twelve outdoor guest parking spaces are distributed throughout the site. A large area of usable common open space and landscaping is provided near the back of the site.

GENERAL PLAN CONFORMANCE

The proposed project, with a density of 20 dwelling units per acre, conforms to the site's General Plan Land Use/Transportation Diagram designation of Public/Quasi-Public (Communications Hill Planned Residential Community) by use of the Discretionary Alternate Land Use Policy (Two-Acre Rule). The parcel was originally designated Public/Quasi-Public in anticipation that it would be used for possible future expansion opportunities for the adjacent church. The church, however, has not expressed an interest in acquiring the subject site. The Two-Acre Rule specifies that parcels with a non-residential land use designation may be developed at any residential range if the proposed use is compatible with uses on adjacent properties. The proposed density is comparable to that of the adjacent Lancaster Gate project. It is staff's opinion that the proposed project will be compatible with the existing residential and non-residential uses on adjoining and nearby properties. As an alternative to an expansion of the neighboring church, residential development that is consistent with the adjoining development pattern with regard to street design and building intensity, such as that which is proposed, is most appropriate for this site.

ENVIRONMENTAL REVIEW

An Initial Study was prepared for this project and a Negative Declaration was circulated for public review by the Director of Planning on March 7, 2002. The key issues that were addressed in the environmental review for the project are discussed below. The project includes standard mitigation measures that will reduce potentially significant impacts to a less-than-significant level.

Traffic

The Director of Public Works has indicated that this project is exempt from the City's Traffic Level-of-Service Policy. Because the proposal includes fewer than 25 attached units, it falls below the threshold that would trigger a requirement for traffic analysis. Therefore, no traffic mitigation is required.

Biological Resources

Given its small size, existing development on-site and urbanized surroundings, the site is not considered suitable habitat for burrowing owls or other special-status species. However, the applicant will be required to conduct a pre-construction survey for burrowing owls prior to any grading or construction activities. If any burrowing owls are discovered using the site during pre-construction surveys, a burrowing owl relocation plan to be approved by the California Department of Fish and Game shall be developed and implemented, including passive measures such as installation of one-way doors in active burrows for up to four days and the subsequent careful excavation of all burrows to ensure no owls remain underground. Upon completion, all burrows will be filled in the construction area to prevent owls from using them. There are no trees and no special-status plants on the site.

Cultural Resources

The site is located in an area that is identified as containing a high concentration of archaeological resources. Per the recommendations included in the archaeological report for the project, the applicant will be required to arrange to have a qualified archaeologist monitor all construction activities, including grading and trenching, that include excavation into native soils on the site. Should evidence of prehistoric cultural resources be discovered during construction, work in the immediate area of the find shall be stopped to allow adequate time for evaluation and mitigation. The applicant shall call in a qualified professional archaeologist to make an

evaluation. The City's Historic Preservation Officer analyzed the existing, circa-1930s house on the site and determined that it had no historical significance. The house is of not of any particular architectural style, is not well constructed, is thoroughly dilapidated and uninhabitable, and is not associated with any well-known individuals or events.

Geology and Soils

The project site is located in a geologically sensitive area. However, the site is considered suitable for residential use, provided the development is located and constructed in accordance with the recommendations identified in the geotechnical report that was submitted for the project. Based on the review and acceptance of the geologic hazards evaluation and soil engineering report, the City Geologist has issued a Certificate of Geologic Hazard Clearance for the project.

Noise

The project site is located adjacent to Hillsdale Avenue, a major public thoroughfare. Road noise has the potential to impact future residents of the proposed project. The potential road noise impacts on future residents of the project were not considered significant enough to warrant the preparation of a noise study for this project, in that the project site does not fall within one of the mapped areas (i.e., "noise contours") that the City has identified. Project-specific noise analysis is only required when a proposed project falls within an identified noise contour area. However, the applicant has agreed to implement the relevant mitigation measures that were recommended in a noise report that was prepared for an earlier, similar project.

PROJECT ANALYSIS

The primary issue concerned in the proposed rezoning is conformance to the Communication Hill Specific Plan and City's Residential Design Guidelines (RDGs) as they related to site design and architecture.

Site Design

The Communication Hill Specific Plan established a basic development pattern for the entire hill made up of a highly urban, high density residential development placed within blocks created by a grid-iron system of streets. Unlike the subject parcel, the Specific Plan identifies precise areas within the adjoining larger parcels for parks and open space areas, schools, civic structures or commercial buildings. Since the CHSP did not originally anticipate residential development on the subject site, the plan did not include conceptual or illustrative site designs for this area. Staff and the applicant worked extensively at the preliminary review stage to create a site plan which best captured the essence of the specific plan in a manner that would integrate well with the existing adjacent residential development. Aside from the Specific Plan urban design objectives noted above, the plan also requires that development conform to the Residential Design Guidelines.

This proposed project is in substantial conformance with the development standards recommended in the *RDGs* for rowhouses with regard to setbacks, parking, and open space. Please refer to the subsections below for more detailed discussion of the project's conformance to specific aspects of the *RDGs*. The proposed layout generally responds well to the constraints posed by this site, which is relatively long and narrow and has, in the past, been graded down to a lower elevation than the neighboring properties. The basic site layout has been designed to complement and mesh with the layout of the larger, adjacent Lancaster Gate development. The driveways and buildings are oriented at an angle so as to reflect and integrate with Lancaster Gate's modified rectilinear "grid" pattern. The angled orientation of the site layout also affords the project a more attractive appearance from the street. Instead of looking straight down a long private street all the way to back of the site, the view from the

street will take in more of the site's landscaping and living units. Additionally, residential units line both sides of the street to create a better sense of neighborhood.

Perimeter Setbacks: The site design includes a front setback of 20 feet from Hillsdale Avenue. While this is less than the 35-foot setback that the *RDGs* generally recommend for a major public street, the *RDGs* allow a reduction for urbanized, higher-density areas of the City. It is staff's opinion that the proposed front setback is adequate, given the relatively high-density nature of the project and its surroundings. The proposed minimum side and rear setbacks are five feet, while the actual setbacks shown would vary from six to 20 feet in different locations, based on the buildings' orientation. The proposed buildings are closer to the shared property line than are the Lancaster Gate units on the other side. However, units on the two properties will be separated by total distances ranging from approximately 18 to 50 feet. In addition, the difference in grade elevation between the two properties will somewhat lessen any potential privacy impacts posed by some of the units' relative proximity to the shared property line.

Internal Setbacks: Most of the residential units provide the minimum 10 feet of landscaping and walkways between the buildings and the project's main driveway, as recommended by the *RDGs*. The three rear units are set back only three feet from the main driveway, but this is an area of the site that will have minimal or no visibility from the street and will experience relatively little vehicular traffic.

Parking: Parking is provided on-site at the ratios in the *RDGs*, which recommend 2.5 parking spaces for each of these two-bedroom units (2.7 spaces for the units with tandem garages), for a total of 47 spaces. Each of the 18 units has a two-car garage, and a total of twelve uncovered guest parking spaces are provided on the site. The surface parking spaces are fairly evenly and functionally distributed on the site in relation to the residential units.

Open Space: The *RDGs* recommend that each rowhouse unit should have an enclosed private open space (i.e., rear yard) 400 square feet in size with a 15-foot minimum dimension. The proposed units have private yards that vary in size from approximately 120 to 300 square feet. While the yards are slightly smaller than recommended by the *RDGs*, the reduced-size yards essentially act as a trade-off, helping to allow this relatively narrow and constrained site to be developed with a housing unit type, density, and layout that will blend in with the larger adjacent residential development. When the *RDGs* were originally developed, the private open space requirements identified in the *RDGs* for rowhouses were modeled after a housing product with slightly lower density and located in a somewhat more suburban setting. Conversely, the CHSP generally envisioned a more urban housing product such a small podium structure, whereby private open space areas would be typically be comprised of small balconies and patio areas between 60 to 120 square feet in size. Requiring larger and deeper yards in strict accordance with the *RDGs* would make it difficult to develop this parcel with the proposed unit type and density.

Under the *RDGs*, common open space is not a requirement for projects such as this one, that consist of fewer than 20 units. As a partially compensating design measure for the small, private open space areas, the project site includes a large (approximately 1,000 square feet) area of usable common open space. This "pocket park" is conveniently located adjacent to the common driveway in a partially sheltered and relatively less-traveled portion of the site. This common area is directly adjacent to an "open" area of the adjacent Lancaster Gate project. Effort will be made at the Planned Development Permit stage to integrate the landscape design of the adjacent area to further improve the visual appeal and utility of this pocket park for the mutual benefit of both residential projects. The applicant has agreed to contact the adjacent property's homeowners association to explore the feasibility of placing a gated cross-access point near this common open space area, in order to establish a convenient pedestrian linkage between the two residential developments.

Architecture

This project consists of three-story buildings with stucco siding and tiled roofs. The style, materials, scale, and character of the proposed structures are designed to be highly similar to the adjacent Lancaster Gate project, and are also compatible with other recently approved residential development in the nearby area. The building facades are well detailed and articulated, and include numerous “pop-outs” and changes in plane in order to accentuate verticality and maintain a varied appearance that is not inordinately massive or top-heavy. As is customary with a rezoning, the design depicted on these plans is conceptual and will undergo further review and refinement at the subsequent Planned Development Permit stage. Details of the walls enclosing the two private yards facing out onto Hillsdale Avenue will also be refined at the Planned Development Permit stage in order to ensure a well-designed and attractive appearance from the street.

PUBLIC OUTREACH

Notices of the Negative Declaration and the public hearings before the Planning Commission and City Council were distributed to owners and tenants of all properties within 500 feet of the subject site. A notice of the rezoning was also published in the San Jose Mercury News, in accordance with the City Council’s Public Outreach Policy. Staff has been available to discuss the project with interested members of the public.

CONCLUSION

Based on the above analysis, staff concludes that the project is in substantial conformance with the Residential Design Guidelines and key design objectives of the Communications Hill Specific Plan. The proposed project will integrate well with the adjacent residential development and supports the City’s goal of maximizing infill housing opportunities.

RECOMMENDATION

Planning Staff recommends approval of the proposed Planned Development Rezoning for the following reasons:

1. The project conforms to the site’s General Plan Land Use Transportation Diagram designation of Public/Quasi-Public (Communications Hill Planned Residential Community) by use of the Discretionary Alternate Land Use Policy (Two-Acre Rule).
2. The proposed project further the objectives of the City’s infill housing strategies.
3. The proposed project is compatible with the surrounding land uses.
4. The proposed project substantially conforms to the applicable policies of the City’s *Residential Design Guidelines*.
5. The proposed project substantially conforms to the key design objectives and intent of the Communications Hill Specific Plan.
6. The proposed project conforms to the requirements of CEQA.